

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

VIRGINIA ANN FOX, : CIVIL ACTION NO. 3:18-CV-1486  
Plaintiff, :  
: (JUDGE MARIANI)  
: (Magistrate Judge Saporito)  
v. :  
KILOLO KIJAKAZI,<sup>1</sup> Acting Commissioner :  
of Social Security, :  
Defendant. :  
:

ORDER

AND NOW, THIS 5th DAY OF NOVEMBER 2021, upon consideration of the pending Report and Recommendation ("R&R") (Doc. 20) and all relevant documents, for the reasons set forth in the accompanying Memorandum Opinion, **IT IS HEREBY**

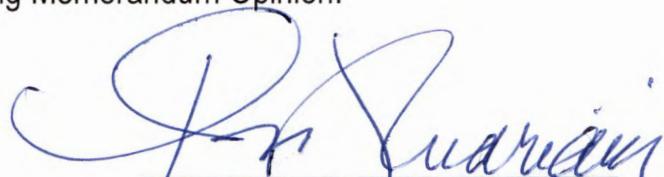
**ORDERED THAT:**

1. The R&R (Doc. 20) is **ADOPTED IN PART**;
2. The Court **DOES NOT ADOPT** the recommendation that the Commissioner's decision be affirmed (Doc. 20 at 37);
3. Plaintiff's appeal is **GRANTED IN PART**;

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<sup>1</sup> Pursuant to Fed. R. Civ. P. 25(d), Kilolo Kijakazi, the current Acting Commissioner of Social Security, is substituted for former Acting Commissioner of Social Security Nancy Berryhill as the named defendant in this action.

4. This matter is **REMANDED** to the Acting Commissioner for further consideration consistent with the accompanying Memorandum Opinion.



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Robert D. Mariam  
United States District Judge